
From: WANGEL, JONATHAN [/O=CORPNYCHHC/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=62E7199958CE4FBDAC31D33582DC4EF5-WANGEL, JONAT]
Sent: 1/11/2019 2:01:39 PM
To: Ford, Elizabeth [eford@nychhc.org]; Jain, Abhishek [jaina7@nychhc.org]
Subject: Re: CHS draft policies circulated?

Please forward me the draft

On Jan 11, 2019, at 1:56 PM, WANGEL, JONATHAN <wangelj@nychhc.org> wrote:

Do we know for sure MK circulated the draft externally?

From: Ford, Elizabeth <eford@nychhc.org>
Sent: Friday, January 11, 2019 1:44 PM
To: Jain, Abhishek <jaina7@nychhc.org>
Cc: WANGEL, JONATHAN <wangelj@nychhc.org>
Subject: CHS draft policies circulated?

Hi Beesh,

There is something to do if you know information that the policy is being circulated to legal aid attorneys. Including Jonathan for guidance.

-e

From: Jain, Abhishek
Sent: Friday, January 11, 2019 1:39 PM
To: Ford, Elizabeth <eford@nychhc.org>
Subject: FW: FPECC Psychological Testing Policy

The response is not surprising from Dr. Kaye and similar to what I anticipated yesterday. I don't feel pressure to respond to her email immediately, especially because you and I were both cc'd, and I've already responded to her previous emails about this. But if you think it's appropriate, I can reply (with you cc'd) something along the lines of what I sent you yesterday, that these are good points that we've considered, and that the purpose of this policy is not about reviewing or approving each individual testing request, or undermining clinical discretion, but to have oversight and periodic reviews of how psychological testing is being used in the Court Clinics more generally.

It was also brought to my attention today that either this policy or discussion of this policy was being circulated among the Legal Aid attorneys citywide and they were concerned. This is clearly a draft and there's no business for anyone outside of CHS to see this right now. If the draft of the policy was sent or discussed among the attorneys before our final approval, it undermines our internal discussions. In general, I've reiterated with attorneys that if there are any concerns about the Court Clinics, they can and should come to me directly. Nothing to do right now about this, and we can discuss when we meet Monday.

Thanks,

Beesh

Abhishek Jain, MD

Director, Forensic Psychiatry Evaluation Court Clinics

NYC Health + Hospitals, Correctional Health Services

Work cell: 646-901-0640

Email: jaina7@nychhc.org

From: Kaye, Melissa
Sent: Friday, January 11, 2019 9:18 AM
To: Jain, Abhishek <jaina7@nychhc.org>
Cc: Ford, Elizabeth <eford@nychhc.org>
Subject: Re: FPECC Psychological Testing Policy

Hi Beesh,

As I previously mentioned, I have concerns about this proposed administrative policy, which places restrictions upon the MD clinic directors. The statute, case law, ethical guidelines and medical licensing board all dictate that physicians are to have unfettered independence within their standard of practice. Anything less necessarily raises questions about the legitimacy of the examination, opens the door to controversy by defense attorneys and prosecutors, and undermines the credibility of the examination results.

Another issue is the involvement of Dr. Alex Garcia. We already had an instance in which Legal Aid challenged what was perceived to be an impropriety in the exam process when Dr. Garcia sought to become involved in forensic evaluations while actively in the role of a treatment supervision of Rikers Island clinical staff.

The legal community in New York City is fully aware of the obligation to keep forensic and treatment evaluations and examiners separate and they will not hesitate to challenge deviations from the standard of practice in forensic psychiatry.

Best,

Melissa

Melissa Kaye, M.D.

Medical Director

Bronx Court Clinic

phone: 718-410-2345

Fax: 718-410-2344

From: Jain, Abhishek

Sent: Thursday, January 10, 2019 2:28 PM

To: Kaye, Melissa; Mundy, Daniel; Owen, Elizabeth; Winkler, Barry

Subject: FPECC Psychological Testing Policy

Dear Court Clinic Directors,

Thank you for your input regarding the FPECC Psychological Testing policy that we discussed about two months ago.

I had a chance to incorporate our discussions and your suggestions. I wanted you to see this most recent version (attached) which is close to being finalized, but will ultimately need to be approved by Dr. Ford.

Let me know if you have any additional thoughts regarding this policy.

Thank you again,

Beesh

Abhishek Jain, MD

Director, Forensic Psychiatry Evaluation Court Clinics

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